

House Bill 754

By: Representative Carter of the 159<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To provide for an advisory referendum election to be held in the City of Port Wentworth for  
2 the purpose of determining whether the members of the city council should be elected by  
3 district; to provide for a declaration of public purpose; to provide for the submission of this  
4 Act to the United States Department of Justice for preclearance; to repeal conflicting laws;  
5 and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election  
9 superintendent of the City of Port Wentworth shall call and conduct an election as provided  
10 in this section for the purpose of submitting an advisory question to the voters of the City of  
11 Port Wentworth. The election superintendent shall conduct that election on the Tuesday next  
12 following the first Monday in November, 2007, and shall issue the call and conduct that  
13 election as provided by general law. The election superintendent shall cause the date and  
14 purpose of the election to be published once a week for two weeks immediately preceding  
15 the date thereof in the official organ of the City of Port Wentworth. The ballot shall have  
16 written or printed thereon the words:

17 "( ) YES Are you in favor of the election of members of the city council of the City  
18 ( ) NO of Port Wentworth by district instead of the present at large method of  
19 election?"

20 All persons desiring to vote for election of the members of the city council by district shall  
21 vote "Yes," and those persons desiring to vote for retaining the present at large method of  
22 election of the members of the city council shall vote "No." The expense of such election  
23 shall be borne by the City of Port Wentworth. It shall be the election superintendent's duty  
24 to certify the result thereof to the Secretary of State.

**SECTION 2.**

It is found, determined, and declared that the holding of the advisory referendum election provided for in this Act is in all respects for the benefit of the people of the City of Port Wentworth and is for a public purpose and is an essential governmental function for which public funds may be expended.

**SECTION 3.**

The governing authority of the City of Port Wentworth shall through its legal counsel cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 45 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

**SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.